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CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIF.

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2018 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

NEAL PATEL,
aka "@INTERNETLORD,"
aka "@DEFEAT,"

Defendant.

CR No. 19-

19CR00017-CJC

I N D I C T M E N T

[18 U.S.C. § 371: Conspiracy;
18 U.S.C. § 844(e): Conveying
False Information Concerning the
Use of An Explosive Device;
18 U.S.C. § 1344: Bank Fraud;
18 U.S.C. § 1349: Conspiracy to
Commit Bank Fraud; 18 U.S.C.
§ 2(a): Aiding and Abetting]

The Grand Jury charges:

INTRODUCTION

At all times relevant to this Indictment:

1. Twitter was an online social networking service on which users posted and interacted with messages known as tweets. Twitter users could also send Direct Messages to one another.

2. A Twitter "handle" was the name a user selected to use on Twitter.

1 3. Defendant NEAL PATEL resided in, and was located in, Des
2 Plaines, Illinois. Defendant PATEL used the Twitter handles
3 @INTERNETLORD and @DEFEAT.

4 4. Unindicted Co-Conspirator No. 1, Tyler Rai Barriss
5 ("Barriss"), also known as ("aka") "@SWAUTISTIC," aka
6 "@GOREDTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex
7 Mendez," aka "Alex," aka "Matthew," aka "Aaron," resided in, and was,
8 at all times relevant to this Indictment, located in, Los Angeles
9 County within the Central District of California. Barriss used the
10 Twitter handles @SWAUTISTIC and @GOREDTUDOR36.

11 5. Waukesha State Bank was a financial institution insured by
12 the Federal Deposit Insurance Corporation.

13 6. "Swatting" was the action or practice of harassing a victim
14 by deceiving an emergency service into sending police and emergency
15 service response teams, including special weapons and tactics
16 ("SWAT") teams, to the victim's address often by making a false
17 report of a serious law enforcement emergency - such as a murder or
18 hostage situation - at the victim's address to trigger the deployment
19 of the response team.

20 7. The above allegations are incorporated by reference into
21 all counts of this Indictment as if fully set forth therein.
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COUNT ONE

[18 U.S.C. § 371]

A. THE OBJECT OF THE CONSPIRACY

1. Beginning on a date unknown to the Grand Jury, but no later than December 7, 2017, and continuing through on or about December 10, 2017, in Los Angeles, within the Central District of California, and elsewhere, defendant NEAL PATEL ("PATEL"), also known as ("aka") "@INTERNETLORD," aka "@DEFEAT," together and with others known and unknown to the Grand Jury, knowingly conspired and agreed to, by a telephone and instrument of interstate and foreign commerce, willfully make a threat, and maliciously convey false information knowing the information to be false, concerning an alleged attempt being made, or to be made, to kill, injure, and intimidate an individual and to damage and destroy property by means of fire and an explosive, in violation of Title 18, United States Code, Section 844(e).

B. THE MANNER AND MEANS OF THE CONSPIRACY

2. The object of the conspiracy was to be carried out, and was carried out, in substance as follows:

a. Defendant PATEL and Unindicted Co-Conspirator No. 1, Tyler Rai Barriss ("Barriss"), aka "@SWAUTISTIC," aka "@GOREDUTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex Mendez," aka "Alex," aka "Matthew," aka "Aaron," would identify a person or persons that they wanted to harass, intimidate, disrupt, and annoy either by swatting them or by causing them to be evacuated from their locations.

b. Defendant PATEL and Barriss would investigate their intended victims, to include identifying their victims' addresses and

1 telephone numbers and the addresses and telephone numbers of law
2 enforcement local to those victims.

3 c. Barriss, posing as someone else, would call law
4 enforcement and maliciously convey false information, knowing that
5 information to be false, and willfully make a threat, about
6 explosives being present at a victim's address to cause a law
7 enforcement response.

8 d. Barriss, posing as someone else, would call the
9 location where he believed a victim was then located and maliciously
10 convey false information, knowing that information to be false, and
11 willfully make a threat, about explosives being present at that
12 location to cause its evacuation.

13 C. OVERT ACTS

14 3. On or about the following dates, in furtherance of the
15 conspiracy and to accomplish its object, defendant PATEL, and other
16 co-conspirators known and unknown to the Grand Jury, committed and
17 caused others to commit various overt acts within the Central
18 District of California, and elsewhere, including, but not limited to,
19 the following:

20 Overt Act No. 1: On or about December 7, 2017, in Twitter
21 direct messages, defendant PATEL asked Barriss to swat Victim R.S.,
22 and Barriss agreed.

23 Overt Act No. 2: On or about December 7, 2017, in Twitter
24 direct messages, defendant PATEL provided Barriss with what he
25 believed to be personal identification information for Victim R.S.,
26 including Victim R.S.'s home address in Milford, Connecticut.

27 Overt Act No. 3: On or about December 7, 2017, Barriss called
28 the Milford Police Department in Milford, Connecticut, identified

1 himself as Victim R.S., and provided what he believed to be the home
2 address of Victim R.S. Barriss, posing as Victim R.S., also falsely
3 reported that he had shot his parents, that he had tied up his
4 siblings and intended to kill them, and that he planned to burn down
5 his house.

6 Overt Act No. 4: On or about December 8, 2017, in Twitter
7 direct messages, Barriss told defendant PATEL that he had swatted
8 Victim R.S.

9 Overt Act No. 5: On or about December 8, 2017, in Twitter
10 direct messages, defendant PATEL provided Barriss with what he
11 believed to be the address for a convention center in Dallas, Texas
12 (the "Convention Center"), where a video game tournament was then
13 occurring.

14 Overt Act No. 6: On or about December 8, 2017, in Twitter
15 Direct Messages, defendant PATEL agreed to create, and did in fact
16 create, an account with a voice-over-internet services provider for
17 Barriss to use in making hoax phone calls to and concerning the
18 Convention Center.

19 Overt Act No. 7: On or about December 8, 2017, Barriss,
20 posing as someone else, called the Convention Center's administrative
21 line and falsely reported that he left backpacks containing
22 explosives in the Convention Center and that they were set to
23 explode.

24 Overt Act No. 8: On or about December 8, 2017, Barriss,
25 posing as someone else, called the Crime Stoppers tip line and
26 maliciously and falsely reported that he left backpacks containing
27 explosives in the Convention Center and that they were set to
28 explode.

1 Overt Act No. 9: On or about December 8, 2017, in Twitter
2 direct messages, defendant PATEL provided Barriss with information
3 about the evacuation of the Convention Center in response to
4 Barriss's knowingly false reports that he planted bombs there.

5 Overt Act No. 10: On or about December 10, 2017, Barriss,
6 posing as someone else, called the Dallas Police Department and
7 maliciously and falsely reported that he and a friend had left
8 backpacks containing explosives inside the Convention Center and that
9 they were set to explode.

10 Overt Act No. 11: On or about December 10, 2017, Barriss,
11 posing as someone else, called the Convention Center's administrative
12 line and maliciously and falsely reported that he had planted a bomb
13 there. That day, the Convention Center was again evacuated.
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COUNT TWO

[18 U.S.C. §§ 844(e), 2(a)]

On or about December 7, 2017, in Los Angeles County, within the Central District of California, defendant NEAL PATEL ("PATEL"), also known as ("aka") "@INTERNETLORD," aka "@DEFEAT," and Unindicted Co-Conspirator No. 1, Tyler Rai Barriss, aka "@SWAUTISTIC," aka "@GOREDTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex Mendez," aka "Alex," aka "Matthew," aka "Aaron," each aiding and abetting the other, by a telephone and other instrument of commerce, willfully made a threat, and maliciously conveyed false information knowing the information to be false, to a police department in Milford, Connecticut, concerning an alleged attempt being made, or to be made, to kill, injure, and intimidate an individual and to damage and destroy property by means of fire and an explosive, namely, and in substance and effect, that a person had shot his parents, that he had tied up his siblings and intended to kill them, and that he planned to burn down his house.

COUNT THREE

[18 U.S.C. §§ 844(e), 2(a)]

On or about December 8, 2017, in Los Angeles County, within the Central District of California, defendant NEAL PATEL, also known as ("aka") "@INTERNET LORD," aka "@DEFEAT," and Unindicted Co-Conspirator No. 1, Tyler Rai Barriss, aka "@SWAUTISTIC," aka "@GOREDTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex Mendez," aka "Alex," aka "Matthew," aka "Aaron," each aiding and abetting the other, by a telephone and other instrument of commerce, willfully made a threat, and maliciously conveyed false information knowing the information to be false, to a convention center in Dallas, Texas (the "Convention Center"), concerning an alleged attempt being made, or to be made, to kill, injure, and intimidate an individual and to damage and destroy property by means of fire and an explosive, namely, and in substance and effect, that a person left backpacks containing explosives in the Convention Center and that they were set to explode.

COUNT FOUR

[18 U.S.C. § 1349]

A. THE OBJECT OF THE CONSPIRACY

1. Beginning on a date unknown to the Grand Jury, but no later than November 27, 2017, and continuing through on or about December 5, 2017, in Los Angeles County, within the Central District of California, and elsewhere, defendant NEAL PATEL ("PATEL"), also known as ("aka") "@INTERNETLORD," aka "@DEFEAT," together with others known and unknown to the Grand Jury, knowingly conspired and agreed to commit bank fraud, in violation of Title 18, United States Code, Section 1344(2).

B. THE MANNER AND MEANS OF THE CONSPIRACY

2. The object of the conspiracy was to be carried out, and was carried out, in substance as follows:

a. Defendant PATEL would obtain credit and debit card account numbers that he knew belonged to real persons;

b. Defendant PATEL would use those unauthorized debit and credit card account numbers to purchase clothing and other items online for, and at the request of, Unindicted Co-Conspirator No. 1, Tyler Rai Barriss ("Barriss"), aka "@SWAUTISTIC," aka "@GOREDTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex Mendez," aka "Alex," aka "Matthew," aka "Aaron;"

c. In purchasing those items, defendant PATEL would falsely represent to online retailers that he was authorized to use those credit and debit card account numbers to make purchases, when, in fact, he was not authorized to do so;

d. In making those false representations to purchase those items, defendant PATEL would induce the online retailers to

1 sell him merchandise and to cause the financial institutions that
2 issued the credit and debit accounts to remit funds to the retailers
3 as payments for the sales.

4 C. OVERT ACTS

5 3. On or about the following dates, in furtherance of the
6 conspiracy and to accomplish its object, defendant PATEL, together
7 with other co-conspirators known and unknown to the Grand Jury,
8 committed and caused others to commit various overt acts within the
9 Central District of California and elsewhere, including the
10 following:

11 Overt Act No. 1: On or before November 27, 2017, defendant
12 PATEL opened an account with a virtual private network service
13 provider (the "VPN Service").

14 Overt Act No. 2: On December 1, 2017, defendant PATEL
15 attempted to purchase a 1-month subscription to the VPN Service with
16 a credit card number that he knew belonged to a real person and that
17 he was not authorized to use.

18 Overt Act No. 3: On or about December 2, 2017, in Twitter
19 Direct Messages, Barriss asked defendant PATEL to purchase a cap
20 bearing a NASA logo (the "NASA cap") for Barriss.

21 Overt Act No. 4: On or about December 3, 2017, in Twitter
22 Direct Messages, Barriss again asked defendant PATEL to purchase the
23 NASA cap for him. Defendant PATEL agreed to make the purchase after
24 obtaining credit and debit card account numbers belonging to others
25 that he knew he was not authorized to use.

26 Overt Act No. 5: On December 3, 2017, and again on
27 December 4, 2017, in Twitter Direct Messages, Barriss repeatedly
28 insisted that defendant PATEL purchase the NASA cap for him and

1 provided defendant PATEL with Barriss's mailing address in Los
2 Angeles.

3 Overt Act No. 6: On or before December 4, 2017, defendant
4 PATEL obtained a debit card account number (the "Account Number"),
5 which he knew belonged to Victim J.B., which was linked to her
6 checking account at Waukesha State Bank.

7 Overt Act No. 7: On or about December 4, 2017, defendant
8 PATEL purchased the NASA cap from an online retailer, using the
9 unauthorized Account Number. Defendant PATEL represented to the
10 online retailer that he was authorized to use the Account Number to
11 make the purchase when, in fact, he was not. Defendant PATEL
12 provided the online retailer with Barriss's name and address in Los
13 Angeles for shipping purposes.

14 Overt Act No. 8: On or about December 4, 2017, Barriss told
15 defendant PATEL that he wanted him to purchase shoes for him.

16 Overt Act No. 9: On or about December 4, 2017, defendant
17 PATEL purchased a 1-month subscription to the VPN Service, using the
18 Account Number, knowing that he was not authorized to use that
19 Account Number.

20 Overt Act No. 10: On or about December 5, 2017, in Twitter
21 Direct Messages, Barriss told defendant PATEL that he had received
22 the NASA cap and was thankful for it.

23 Overt Act No. 11: On or about December 6, 2017, in Twitter
24 Direct Messages, Barriss told defendant PATEL that he wanted him to
25 purchase shoes and a belt for him. He then directed defendant PATEL
26 to a website and asked him, "Can you card it[?]," which was coded
27 language indicating his intent that defendant PATEL use an
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1 unauthorized credit or debit card account number to make the
2 purchase. Defendant PATEL responded, "yessir."
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COUNT FIVE

[18 U.S.C. §§ 1344, 2(a)]

A. THE SCHEME TO DEFRAUD

1. Beginning on a date unknown to the Grand Jury, but no later than November 27, 2017, and continuing through on or about December 5, 2017, in Los Angeles County, within the Central District of California, and elsewhere, defendant NEAL PATEL ("PATEL"), also known as ("aka") "@INTERNETLORD," aka "@DEFEAT," together with others known and unknown to the Grand Jury, knowingly and with intent to defraud, executed a scheme to obtain moneys, funds, assets, and other property owned by and in the custody and control of Waukesha State Bank, a federal insured bank, by means of material false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

B. THE MANNER AND MEANS OF THE FRAUDULENT SCHEME

2. The fraudulent scheme operated, in substance, in the following manner:

a. Defendant PATEL would obtain credit and debit card account numbers that he knew belonged to real persons;

b. Defendant PATEL would use those unauthorized debit and credit card account numbers to purchase clothing and other items online for, and at the request of, Unindicted Co-Conspirator No. 1, Tyler Rai Barriss ("Barriss"), aka "@SWAUTISTIC," aka "@GOREDTUTOR36," aka "Robert Hayward," aka "Robert," aka "Alex Mendez," aka "Alex," aka "Matthew," aka "Aaron;"

c. In purchasing those items, defendant PATEL would falsely represent to online retailers that he was authorized to use

1 those credit and debit card account numbers to make purchases, when,
2 in fact, he was not authorized to do so;

3 d. In making those false representations to purchase
4 those items, defendant PATEL would induce the online retailers to
5 sell him merchandise and to cause the financial institutions that
6 issued the credit and debit accounts to remit funds to the retailers
7 as payments for the sales.

8 C. EXECUTION OF THE FRAUDULENT SCHEME

9 3. On or about the following date, in Los Angeles County,
10 within the Central District of California, and elsewhere, defendant
11 PATEL committed the following acts which constituted an execution of
12 the fraudulent scheme:

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COUNT	DATE	ACT
FIVE	December 4, 2017	Defendant PATEL purchased a NASA cap from an online retailer, using an unauthorized Account Number, which he knew belonged to Victim J.B., which was linked to her checking account at Waukesha State Bank. Defendant PATEL represented to the online retailer that he was authorized to use the Account Number to make the purchase when, in fact, he was not. Defendant PATEL provided the online retailer with Barriss's name and address in Los Angeles for shipping purposes. The online retailer shipped the item to Barriss in Los Angeles, for which Barriss thanked defendant PATEL.

A TRUE BILL

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Foreperson

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